

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TROY M. HURD,

Plaintiff,

v.

CITY OF LINCOLN, a political subdivision,

Defendant,

Case No. 4:16-CV-3029

**PLAINTIFF'S MOTION IN LIMINE
FOR EXCLUSION OF EVIDENCE**

Comes now the Plaintiff, Troy M. Hurd, and for his Motion in Limine hereby moves that the Court issue an Order precluding evidence, argument, and reference regarding the following topics at trial:

- I. Jason Kruger, M.D.**
- II. Plaintiff's Prior Criminal Charges or Convictions**
- III. Evidence Concerning Findings by the Nebraska Equal Opportunity Commission/Testimony of Marna Munn**
- IV. Plaintiff/Witness' Sexual History**
- V. Remote Prior Incidents re: Performance/Character**
- VI. Same Decision or After-Acquired Evidence**
- VII. Mitigation of Emotional Distress Damages**
- VIII. Dismissed Claims**
- IX. Other Litigation**
- X. Opinion Testimony of Employees Who Believe They Weren't Retaliated Against**
- XI. Evidence Not Disclosed in Discovery or Seasonably Supplemented in Discovery**

XII. Collateral Source

XIII. Offers of Settlement

XIV. Comparator Evidence/Discipline Summary Exhibits

XV. Mayor Beutler Testimony/Objections

WHEREFORE, Plaintiff respectfully requests that the Court grant his Motion in Limine and prohibit Defendants, its attorneys, and its witnesses from referencing any of the above subjects in front of the jury at any time during the trial, including voir dire, opening statements, and closing arguments.

Dated this 29th day of January, 2019

TROY HURD, Plaintiff

By: /s/ Kelly K. Brandon

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 29th day of January, 2019, electronically filed the foregoing Motion in Limine with the Clerk of the Court using the CM\ECF system which sent notification of such filing to all CM\ECF participants.

s/ Kelly K. Brandon